

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:14-cr-00079-MR-DLH**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMY LOOSEMORE,

Defendant.

IN RE: PETITION OF LISA AUTREY

ORDER

THIS MATTER is before the Court on the “Notice of Action and Pending Forfeiture of Property” filed by Lisa Autrey [Doc. 27].

On October 22, 2014, the Court entered a Consent Order and Judgment of Forfeiture regarding the real property located at 42 Fairy Avenue, Spruce Pine, North Carolina. [Doc. 21]. Following entry of the Consent Order, on November 20, 2014, Petitioner Lisa Autrey, proceeding *pro se*, filed a Petition with this Court claiming a legal interest in the property. [Doc. 27].

A petition filed by a third party claiming interest in property which has been ordered forfeited to the United States must “be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner’s right, title, or interest in the property, the time and circumstances and the petitioner’s acquisition of the right, title, or interest in the property, any additional facts supporting the petitioner’s claim, and the relief sought.” 21 U.S.C. § 853(n)(3). “Requiring the claimant to sign personally under penalty of perjury serves the government’s legitimate interest in protecting forfeited assets.” See United States v. Speed Joyeros, S.A., 410 F.Supp.2d 121, 124 (E.D.N.Y. 2006). A petitioner who fails to file a verified petition lacks standing to contest a forfeiture. United States v. Loria, No. 3:08cr233-2, 2009 WL 3103771, at *2 (W.D.N.C. Sep. 21, 2009) (citing United States v. \$487,825,000 in U.S. Currency, 484 F.3d 662, 664-65 (3d Cir. 2007)).

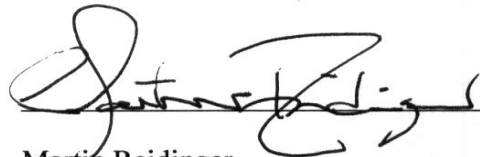
The Court will allow Petitioner Autrey thirty (30) days from the entry of this Order in which to file an amended petition which is signed under penalty of perjury. If the Petitioner fails to file an amended petition within the time required, the “Notice of Action and Pending Forfeiture of Property” will be denied and dismissed.

Accordingly, **IT IS, THEREFORE, ORDERED** that Lisa Autrey shall file an amended petition, signed under penalty of perjury, within thirty (30) days of the entry of this Order. **Petitioner is advised that failure to file an amended petition signed under penalty of perjury will result in the dismissal of her petition.**

The Clerk of Court is directed to provide copies of this Order to counsel for the Government and the *pro se* Petitioner Lisa Autrey.

IT IS SO ORDERED.

Signed: December 3, 2014


Martin Reidinger
United States District Judge

